

REMARKS

This response is filed in response to the final Office Action dated June 25, 2008. Claims 9-12, 14, and 16-18 were pending. In the Office Action, the Examiner rejected pending claims 9-12, 14, and 16-18 under 35 U.S.C. § 112, second paragraph, as not distinctly claiming the subject matter which the Applicants regard as their invention.

Claims 9, 14 and 17 have been amended to address the Examiner's rejections. Claim 16 has been canceled. New claims 19 and 20 have been added. No new matter has been added. Amendments to the claims are being made solely to expedite prosecution and do not constitute an acquiescence to any of the Examiner's rejections.

Claims 9-12, 14, and 17-20 are presented for examination.

Claim Rejections under 35 U.S.C. § 112

In the Office Action, claim 9 was rejected under 35 U.S.C. § 112, second paragraph, by the Examiner for failing to distinctly claim the subject matter the Applicants regard as their invention. More specifically, the Examiner found the term "how well" to be unclear. (See Office Action p. 2).

In response to this rejection, Applicants have amended claim 9 to specify "recommendation logic responsive to user input of plural selection criteria to apply a matching algorithm to calculate, for each one of a plurality of respective products/services, for which data is stored in said memory, a respective score for ranking each respective product/service according to the matching of the data defining the respective product/service and the input user plural selection criteria." The graphical representations that are included in the second display portion are "associated with scores corresponding to the leading ranked matches between said

input plural selection criteria and the data defining the criteria defining the respective products/services.”

The cited language demonstrates that Applicants’ amendment has clarified the subject matter being claimed. Instead of the term “how well,” there is detail given as to how the “leading ranked” scores are calculated based on other variables. Support for the amendment can be found throughout the publishes international patent application at page 8 lines 31-33, page 13 lines 25-31, and page 15 lines 9-21. The text at page 13 lines 28-31 mentions the use of “a least squares best match algorithm.” This least squares best match algorithm is well known and therefore provides a clear indication that the use of a matching algorithm to calculate a score for ranking based on a plurality of variables was disclosed.

The amendment also clarifies the differences between the present invention and the previously-asserted prior art. To the extent the Examiner has any additional questions regarding the claimed invention, or if additional context would be helpful in the examination of this application, an exemplary embodiment of the claimed invention is available for the Examiner’s review at the following URL: <http://www.easelect.com>. As a result of the amendment, claim 9 is now in condition for allowance. Applicants respectfully request that the rejection be withdrawn and claim 9 be allowed.

Claim 17 was also rejected under 35 U.S.C. § 112 for failing to distinctly claim the subject matter of the invention. Claim 17 is directed to a computer network which is similar to the apparatus of claim 9 and similar amendments have been made to the claim language. Claim 17 should be allowed for analogous reasons as those discussed above in relation to claim 9. Applicants respectfully request that the rejection be withdrawn and claim 17 be allowed.

Applicants' silence with regard to the Examiner's rejections of the dependent claims constitutes recognition by the Applicants that the rejections are moot based on the Applicants' Amendment and Remarks relative to the independent claim from which the dependent claims depend. Applicants reserve the option to further prosecute the same or similar claims in the present or a subsequent Application.

CONCLUSION

In view of the foregoing amendments and remarks, favorable consideration and allowance of claims 9-12, 14, and 17-20 is respectfully requested. In the event that the application is not deemed in condition for allowance, the Examiner is invited to contact the undersigned in an effort to advance prosecution of this application.

Respectfully submitted,



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